

DELTA PROTECTION COMMISSION

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September 12, 1997

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Submittal of Contra Costa County Regarding Amendment to the Land Use and Resource Management Plan for the Primary Zone of the Delta to Include Utilities and Infrastructure Policy P-3

Background:

On February 23, 1995, the Delta Protection Commission adopted the Land Use and Resource Management Plan for the Primary Zone of the Delta (Plan). The Delta Protection Act (Act) states that within 180 days of the adoption of the Plan, or any amendments by the Commission, all local governments shall submit to the Commission proposed amendments which will cause their general plans to be consistent with the Act and the Plan (PRC, Section 29763).

To comply with the terms of the Delta Protection Act of 1992, Contra Costa County proposed an amendment to the County General Plan which stated:

Primary Zone of the Delta. All public and private management and development activities within the Primary Zone of the Delta shall be consistent with the goals, policies and provisions of the "Land Use and Resource Management Plan for the Primary Zone of the Delta" as adopted and as may be amended by the Delta Protection Commission.

On December 14, 1995, the Commission reviewed and concurred with the language of the proposed Contra Costa County General Plan amendment.

On May 14, 1996, the Board of Supervisors amended the County General Plan as proposed.

On April 4, 1997, at the direction of the Commission, staff sent a letter to Contra Costa County informing the County of the new regulation (Utilities and Infrastructure Policy P-3) which had been amended into the Plan. That regulation states:

New sewage treatment facilities (including storage ponds) and areas for disposal of sewage effluent and sewage sludge shall not be located within the Delta Primary Zone.

[Note: The Rio Vista project, as described in the adopted Final Environmental Impact Report for such project, and the Ironhouse Sanitary District use of Jersey Island for disposal of treated wastewater and biosolids are exempt from this policy.]

Description of Lands within Contra Costa County in the Primary Zone:

The lands within the Contra Costa County which are located in the Primary Zone of the Delta include approximately 47,000 acres in the southwestern Delta including: Browns Island (in the City of Pittsburg), Winter Island, Jersey Island, Bradford Island, Webb Tract, Holland Tract, Palm Tract, Orwood Tract, areas around the community of Knightson, and Coney Island. Water-covered areas include: Big Break, Franks Tract and Clifton Court Forebay.

The County's adopted Urban Limit Line closely follows the boundary of the Primary Zone; no urban development is allowed outside (on the Delta side) of the Urban Limit Line. The General Plan designates Jersey Island, Webb Tract, Orwood Tract, Palm Tract, Holland Tract, Quimby Island, and Bradford Island as DR-Delta Recreation and Resources. Zoning for the DR is 20 acres minimum parcel size; A-2 (General Agriculture) has a minimum parcel size of 5 acres; most of the agricultural land in the Primary Zone is this zone. Quimby Island is zoned Exclusive Agriculture, with a minimum parcel size of 80 acres.

Contra Costa County's Submittal:

Contra Costa County has submitted a letter dated August 26, 1997 (see attached copy) which states that no further general plan amendment is needed to ensure conformance with the Plan; the County's 1996 amendment ensures compliance with the Plan as amended.

Staff Analysis:

Staff has reviewed the County's General Plan, as amended, and the County's current letter, and agrees that no further general plan amendment is necessary to ensure compliance with the amendment to the Commission's Plan.

If the Commission concurs, staff will so notify the County.

If the Commission wants to consider the County's position further, the matter should be set for public hearing.

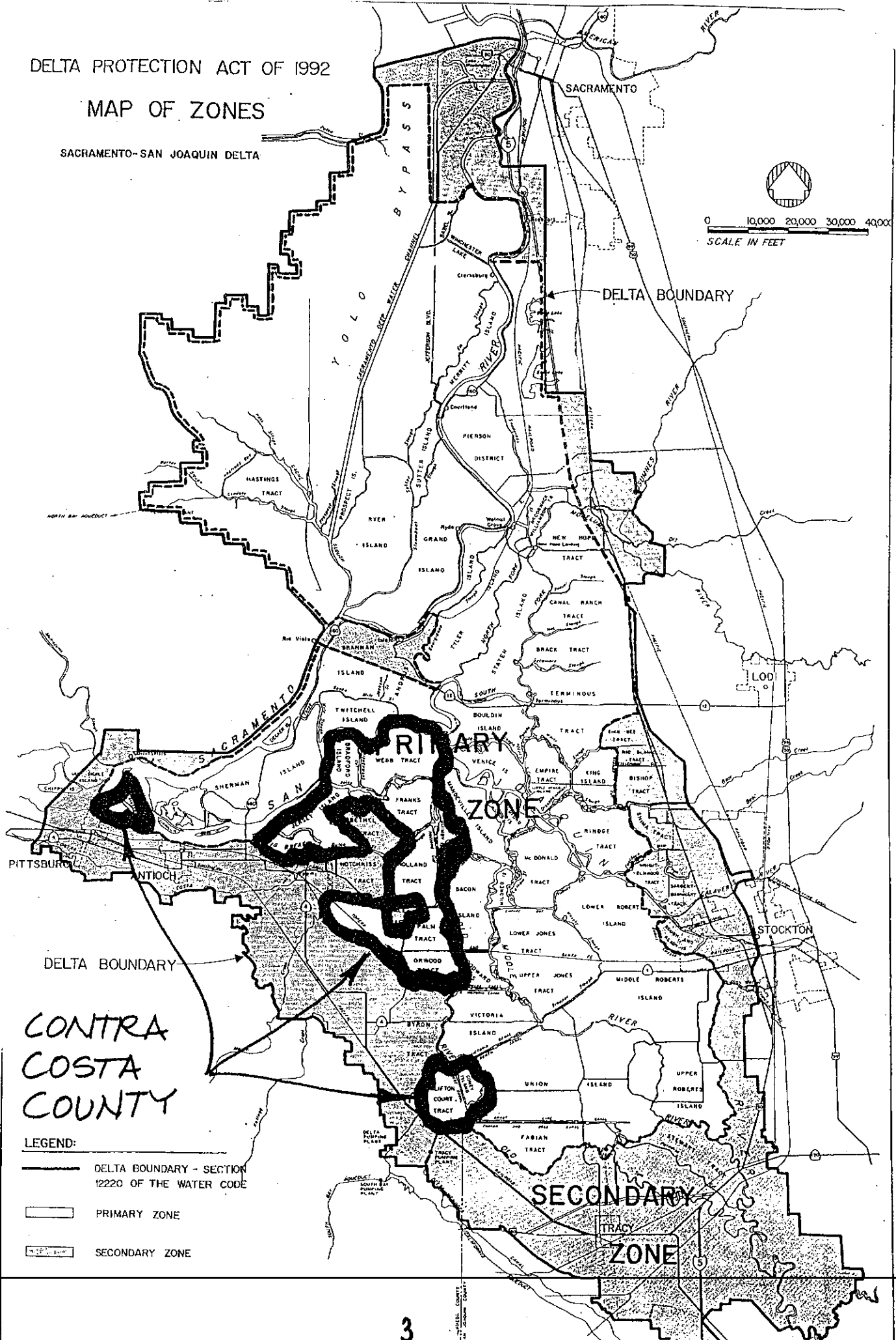
Attachments:

Letter
Map

DELTA PROTECTION ACT OF 1992

MAP OF ZONES

SACRAMENTO-SAN JOAQUIN DELTA



**Community
Development
Department**

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Martinez, California 94553-0095

Phone:

**Contra
Costa
County**



Harvey E. Bragdon
Director of Community Development

Dennis M. Barry, AICP
Interim Community Development Director

Ms. Margit Aramburu
Executive Director
Delta Protection Commission
P.O. Box 530 Walnut Grove, CA 95690

August 26, 1997

Dear Ms. Aramburu:

Contra Costa County understands that the State Office of Administrative Law approved as a new regulation, what was once the Delta Protection Commission's Utilities and Infrastructure Policy P-3, which excludes new sewage treatment facilities and sewage effluent disposal areas in the Primary Management Zone of the Delta. This new regulation was included in the Delta Protection Commission's Land Use and Management Plan for the Primary Zone of the Delta, as Policy P-3. The County has reviewed the need for additional action to ensure compliance with the new regulation, and has determined that, as a General Plan Amendment was approved in May 14, 1996 requiring compliance with the Commission's Land Use and Resource Management Plan (which included the Policy), that no further action is necessary at this time.

As you are aware, the County has generally required a Land Use Permit for application of biosolids, which in the past has been more than adequate for both the Commission and County purposes. Staff will be reviewing this process, and opportunities to improve upon the process, as well as consideration of stronger measures through the Ordinance Code or other means. We will be keeping you informed of our progress in this endeavor.

The County's prior submittals to the Commission, including the General Plan Amendment, are attached for your convenience. If you have questions, please contact Roberta Goulart at (510) 335-1226.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis M. Barry".

Dennis M. Barry, AICP
Interim Community Development Director